

Judge Franklin D. Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MITCHELL A. FRIEND,

Defendant.

NO. CR06-5061FDB

ORDER
GRANTING UNOPPOSED
MOTION TO CONTINUE
TRIAL DATE AND
PRETRIAL MOTIONS DATE

Upon the unopposed motion of Defendant to continue the trial and pretrial motions due date in the above-captioned case, and based upon the facts set forth in Defendant's motion, which are hereby incorporated by reference, the Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public and the defendant in a speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A); therefore,

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1 IT IS HEREBY ORDERED that the trial date be continued to September 5, 2006
2 The period of delay resulting from this continuance from April 17, 2006, up to and
3 including the new trial date of September 5, 2006 , is hereby excluded for speedy trial
4 purposes under 18 U.S.C. § 3161(h)(8)(A) and (B) for the purpose of computing the time
5 limitations imposed by the Speedy Trial Act, 18 U.S.C. § 3161-3174.

6 IT IS FURTHER ORDERED that the pretrial motions due date be extended to July
7 17, 2006.

8 DATED this 6th day of April, 2006.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

Presented by:

s/ James N. Turner (telephonic approval)

JAMES N. TURNER
Attorney for Defendant Mitchell Friend

s/ Michael Dion

MICHAEL DION
Assistant United States Attorney